

T H E
C O N S T I T U T I O N
O F T H E
P E N N S Y L V A N I A S O C I E T Y,
F O R P R O M O T I N G T H E
A B O L I T I O N O F S L A V E R Y,
A N D T H E R E L I E F O F
F R E E N E G R O E S,
U N L A W F U L L Y H E L D I N
B O N D A G E.

BEGUN IN THE YEAR 1774, AND ENLARGED ON THE
TWENTY-THIRD OF APRIL, 1787.

T O W H I C H A R E A D D E D,
T H E A C T S O F
T h e G e n e r a l A s s e m b l y o f P e n n s y l v a n i a,
F O R T H E G R A D U A L
A B O L I T I O N O F S L A V E R Y.

*“ All Things whatsoever ye would that Men should do to you,
do ye even so to them; for this is the Law and the Pro-
phets.” Matth. vii. 12.*

P H I L A D E L P H I A:
P R I N T E D B Y F R A N C I S B A I L E Y, F O R “ T H E P E N N S Y L V A N I A
S O C I E T Y F O R P R O M O T I N G T H E A B O L I T I O N O F S L A -
V E R Y, A N D T H E R E L I E F O F F R E E N E G R O E S
U N L A W F U L L Y H E L D I N B O N D A G E.”

M,DCC,LXXXVIII.

105.7589a.54 no. 11

THE
 C O N S T I T U T I O N
 OF THE
 PENNSYLVANIA SOCIETY,
 FOR PROMOTING THE
 ABOLITION OF SLAVERY,
 AND THE RELIEF OF
F R E E N E G R O E S,
 UNLAWFULLY HELD IN
 B O N D A G E;

ENLARGED AT PHILADELPHIA, APRIL 23d, 1787.

IT having pleased the Creator of the world, to make Introduction.
 of one flesh all the children of men—it becomes
 them to consult and promote each other's happiness, as
 members of the same family, however diversified they
 may be, by colour, situation, religion, or different states
 of society. It is more especially the duty of those per-
 sons, who profess to maintain for themselves the rights
 of human nature, and who acknowledge the obligations
 of Christianity, to use such means as are in their power,
 to extend the blessings of freedom to every part of the
 human race ; and in a more particular manner, to such
 of their fellow-creatures, as are entitled to freedom by
 the laws and constitutions of any of the United States,
 and

and who, notwithstanding, are detained in bondage, by fraud or violence.—From a full conviction of the truth and obligation of these principles—from a desire to diffuse them, wherever the miseries and vices of slavery exist, and in humble confidence of the favour and support of the Father of Mankind, the subscribers have associated themselves, under the title of the “Pennsylvania Society for promoting the Abolition of Slavery, and the Relief of free Negroes unlawfully held in Bondage.”

FOR effecting these purposes, they have adopted the following constitution :

The Officers
of the society.

I. THE officers of the society shall consist of a president, two vice-presidents, two secretaries, a treasurer, four counsellors, an electing committee of twelve, and an acting committee of six members ; all of whom, except the last named committee, shall be chosen annually by ballot, on the first Second-day called Monday, in the month called January.

Duty of the
president and
vice-presi-
dents.

II. THE president, and in his absence one of the vice-presidents, shall preside in all the meetings, and subscribe all the public acts of the society. The president, or in his absence, either of the vice-presidents, shall moreover have the power of calling a special meeting of the society whenever he shall judge proper. A special meeting shall likewise be called at any time, when six members of the society shall concur in requesting it.

Of the secre-
taries.

III. THE secretaries shall keep fair records of the proceedings of the society, and shall correspond with such persons

persons and societies, as may be judged necessary to promote the views and objects of the institution.

IV. THE treasurer shall keep all the monies and securities belonging to the society, and shall pay all orders signed by the president or one of the vice-presidents—which orders shall be his vouchers for his expenditures. He shall, before he enters upon his office, give a bond of not less than two hundred pounds, for the faithful discharge of the duties of it. Of the treasurer.

V. THE business of the counsellors shall be to explain the laws and constitutions of the states, which relate to the emancipation of slaves, and to urge their claims to freedom, when legal, before such persons or courts as are authorized to decide upon them. Of the counsellors.

VI. THE electing committee shall have the sole power of admitting new members. Two-thirds of them shall be a quorum for this purpose—and the concurrence of a majority of them by ballot, when met, shall be necessary for the admission of a member. No member shall be admitted, who has not been proposed at a general meeting of the society, nor shall an election for a member take place in less than one month after the time of his being proposed. Foreigners or persons who do not reside in this state, may be elected corresponding members of the society, without being subject to an annual payment, and shall be admitted to the meetings of the society during their residence in the state. Of the electing committee.

VII.

Duty of the
acting com-
mittee.

VII. THE acting committee shall transact such business as shall occur in the recess of the society, and report the same at each quarterly meeting.—They shall have a right, with the concurrence of the president or one of the vice-presidents, to draw upon the treasurer for such sums of money as shall be necessary to carry on the business of their appointment. Four of them shall be a quorum. After their first election, two of their number shall be relieved from duty at each quarterly meeting, and two members shall be appointed to succeed them.

Sum to be
paid annually.

VIII. EVERY member upon his admission, shall subscribe the constitution of the society, and contribute ten shillings annually, in quarterly payments, towards defraying its contingent expences. If he neglects to pay the same for more than two years, he shall, upon due notice being given him of his delinquency, cease to be a member.

Days of meet-
ing.

IX. THE society shall meet on the first Second-day called Monday, in the months called January, April, July and October, at such place as shall be agreed to by a majority of the society.

No slave-hold-
er to be a
member.

X. No person holding a slave shall be admitted a member of this society.

Manner of al-
tering the con-
stitution, and
making laws,
and of decid-
ing questions.

XI. No law or regulation shall contradict any part of the constitution of the society, nor shall any law or alteration in the constitution be made, without being proposed at a previous meeting. All questions shall be decided,

decided, where there is a division, by a majority of votes. In those cases where the society is equally divided, the presiding officer shall have a casting vote.

The Present OFFICERS of the SOCIETY.

PRESIDENT,

BENJAMIN FRANKLIN.

VICE-PRESIDENTS,

JAMES PEMBERTON,

JONATHAN PENROSE.

SECRETARIES,

BENJAMIN RUSH,

TENCH COXE.

TREASURER,

JAMES STARR.

COUNSELLORS,

WILLIAM LEWIS,

JOHN D. COXE,

MIERS FISHER,

WILLIAM RAWLE.

ELECTING COMMITTEE,

THOMAS HARRISON,

NORRIS JONES,

NATHAN BOYS,

SAMUEL RICHARDS,

JAMES WHITEALL,

FRANCIS BAILEY,

JAMES REED,

ANDREW CARSON,

JOHN TODD,

JOHN WARNER,

THOMAS ARMATT,

JACOB SHOEMAKER, jun.

ACTING COMMITTEE,

THOMAS SHIELDS,

WILLIAM ZANE,

THOMAS PARKER,

JOHN WARNER,

JOHN OLDDEN,

WILLIAM McELHENNEY.

An ACT for the gradual Abolition of Slavery.

Preamble.

SECTION I. **W**HEN we contemplate our abhorrence of that condition, to which the arms and tyranny of Great Britain were exerted to reduce us—when we look back on the variety of dangers to which we have been exposed, and how miraculously our wants in many instances have been supplied, and our deliverances wrought, when even hope and human fortitude have become unequal to the conflict—we are unavoidably led to a serious and grateful sense of the manifold blessings which we have undeservedly received from the hand of that Being, from whom every good and perfect gift cometh. Impressed with these ideas, we conceive that it is our duty, and we rejoice that it is in our power, to extend a portion of that freedom to others, which hath been extended to us ; and a release from that state of thralldom, to which we ourselves were tyrannically doomed, and from which we have now every prospect of being delivered. It is not for us to enquire why, in the creation of mankind, the inhabitants of the several parts of the earth were distinguished by a difference in feature or complexion. It is sufficient to know that all are the work of an Almighty Hand. We find, in the distribution of the human species, that the most fertile as well as the most barren parts of the earth are inhabited by men of complexions different from ours, and from each other ; from whence we may reasonably, as well as religiously, infer, that he who placed them in their various situations, hath extended equally his care and protection

tion to all, and that it becometh not us to counteract his mercies. We esteem it a peculiar blessing granted to us, that we are enabled this day to add one more step to universal civilization, by removing, as much as possible, the sorrows of those who have lived in undeserved bondage, and from which, by the assumed authority of the kings of Great-Britain, no effectual, legal relief could be obtained. Weaned by a long course of experience from those narrow prejudices and partialities we had imbibed, we find our hearts enlarged with kindness and benevolence towards men of all conditions and nations; and we conceive ourselves at this particular period extraordinarily called upon, by the blessings which we have received, to manifest the sincerity of our profession, and to give a substantial proof of our gratitude.

SECT. II. AND WHEREAS the condition of those persons who have heretofore been denominated Negro and Mulatto slaves, has been attended with circumstances which not only deprived them of the common blessings that they were by nature entitled to, but has cast them into the deepest afflictions by an unnatural separation and sale of husband and wife from each other and from their children—an injury, the greatness of which can only be conceived by supposing that we were in the same unhappy case. In justice, therefore, to persons so unhappily circumstanced, and who, having no prospect before them whereon they may rest their sorrows and their hopes, have no reasonable inducement to render their service to society, which otherwise they might; and also in grateful commemoration of our own happy deliverance from

that state of unconditional submission to which we were doomed by the tyranny of Britain.

No child born
hereafter to be
a slave.

SECT. III. Be it enacted, and it is hereby enacted, by the representatives of the freemen of the commonwealth of Pennsylvania, in general assembly met, and by the authority of the same, That all persons, as well Negroes and Mulattoes and others, who shall be born within this state from and after the passing of this act, shall not be deemed and considered as servants for life, or slaves; and that all servitude for life, or slavery of children, in consequence of the slavery of their mothers, in the case of all children born within this state, from and after the passing of this act as aforesaid, shall be, and hereby is utterly taken away, extinguished and forever abolished.

Negro and Mulatto children
to be servants
till 28 years of
age.

SECT. IV. Provided always, and be it further enacted, by the authority aforesaid, That every Negro and Mulatto child born within this state after the passing of this act as aforesaid (who would, in case this act had not been made, have been born a servant for years, or life, or a slave) shall be deemed to be, and shall be, by virtue of this act, the servant of such person, or his or her assigns, who would, in such case, have been entitled to the service of such child, until such child shall attain unto the age of twenty-eight years, in the manner and on the conditions whereon servants bound by indenture for four years are or may be retained and holden; and shall be liable to like correction and punishment, and entitled to like relief in case he or she be evilly treated by his or her master or mistress, and to like freedom dues and other privileges

privileges as servants bound by indenture for four years are or may be entitled, unless the person to whom the service of any such child shall belong shall abandon his or her claim to the same; in which case the overseers of the poor of the city, township or district respectively, where such child shall be so abandoned, shall by indenture bind out every child, so abandoned, as an apprentice for a time not exceeding the age herein before limited for the service of such children.

SECT. V. And be it further enacted by the authority All slaves to be registered before the 1st of November next. That every person, who is or shall be the owner of any Negro or Mulatto slave or servant for life, or till the age of thirty-one years, now within this state, or his lawful attorney, shall, on or before the said first day of November next, deliver or cause to be delivered in writing to the clerk of the peace of the county, or to the clerk of the court of record of the city of Philadelphia, in which he or she shall respectively inhabit, the name, and surname, and occupation or profession of such owner, and the name of the county and township, district or ward wherein he or she resideth; and also the name and names of any such slave and slaves, and servant and servants for life or till the age of thirty-one years, together with their ages and sexes severally and respectively set forth and annexed, by such person owned or statedly employed, and their being within this state, in order to ascertain and distinguish the slaves and servants for life and till the age of thirty-one years, within this state, who shall be such, on the said first day of November next, from all other persons; which particulars shall by said clerk of the sessions and clerk of the

the

the said court be entered in books to be provided for that purpose by the said clerks ; and that no Negro and Mulatto, now within this state, shall from and after the said first day of November, be deemed a slave or servant for life, or till the age of thirty-one years, unless his or her name shall be entered as aforesaid on such record, except such Negro and Mulatto slaves and servants as are herein after excepted ; the same clerk to be entitled to a fee of two dollars for each slave or servant so entered as aforesaid, from the treasurer of the county, to be allowed to him in his accounts.

Owners of
slaves, though
not registered,
to be liable for
their support,
unless, &c.

SECT. VI. Provided always, That any person in whom the ownership or right to the service of any Negro or Mulatto shall be vested at the passing of this act, other than such as are herein before excepted, his or her heirs, executors, administrators and assigns, and all and every of them severally shall be liable to the overseers of the poor of the city, township or district to which any such Negro or Mulatto shall become chargeable; for such necessary expence, with costs of suit thereon, as such overseers may be put to, through the neglect of the owner, master or mistress of such Negro or Mulatto ; notwithstanding the name and other descriptions of such Negro or Mulatto shall not be entered and recorded as aforesaid ; unless his or her master or owner shall, before such slave or servant attain his or her twenty-eighth year, execute and record in the proper county, a deed or instrument, securing to such slave or servant, his or her freedom.

SECT.

SECT. VII. And be it further enacted by the authority aforesaid, That the offences and crimes of Negroes and Mulattoes, as well slaves and servants as freemen, shall be enquired of, adjudged, corrected and punished in like manner as the offences and crimes of the other inhabitants of this state are and shall be enquired of, adjudged, corrected and punished, and not otherwise; except that a slave shall not be admitted to bear witness against a freeman.

Negroes, &c.
to be tried
like other in-
habitants.

SECT. VIII. And be it further enacted by the authority aforesaid, That in all cases, wherein sentence of death shall be pronounced against a slave, the jury before whom he or she shall be tried, shall appraise and declare the value of such slave; and in case such sentence be executed, the court shall make an order on the state treasurer, payable to the owner for the same and for the costs of prosecution; but in case of remission or mitigation, for the costs only.

Jury to value
in case of sen-
tence of death.

SECT. IX. And be it further enacted by the authority aforesaid, That the reward for taking up runaway and absconding Negro and Mulatto slaves and servants, and the penalties for enticing away, dealing with, or harbouring, concealing or employing Negro and Mulatto slaves and servants, shall be the same, and shall be recovered in like manner as in the case of servants bound for four years.

Reward for
taking up run-
aways, same
as for white
servants.

SECT. X. And be it further enacted by the authority aforesaid, That no man or woman of any nation or colour, except the Negroes or Mulattoes who shall be registered

None to be
deemed slaves,
but those re-
gistered.

registered as aforefaid, ſhall at any time hereafter be deemed, adjudged or holden within the territories of this commonwealth as ſlaves or ſervants for life, but as free-men and free-women; except the domeſtic ſlaves attending upon delegates in Congreſs from the other American ſtates, foreign miniſters and conſuls, and perſons paſſing through or ſojourning in this ſtate and not becoming reſident therein, and ſeamen employed in ſhips not belonging to any inhabitant of this ſtate, nor employed in any ſhip owned by any ſuch inhabitant. Provided ſuch domeſtic ſlaves be not aliened or ſold to any inhabitant, nor (except in the caſe of members of Congreſs, foreign miniſters and conſuls) retained in this ſtate longer than fix months.

Except run-
aways from o-
ther ſtates.

SECT. XI. Provided always, and be it further enacted by the authority aforeſaid, That this act or any thing in it contained, ſhall not give any relief or ſhelter to any abſconding or runaway Negro or Mulatto ſlave or ſervant, who has abſented himſelf, or ſhall abſent himſelf from his or her owner, maſter or miſtreſs reſiding in any other ſtate or country, but ſuch owner, maſter or miſtreſs ſhall have like right and aid to demand, claim and take away his ſlave or ſervant, as he might have had in caſe this act had not been made: And that all Negro and Mulatto ſlaves now owned and heretofore reſident in this ſtate, who have abſented themſelves, or been clandeſtinely carried away, or who may be employed abroad as ſeamen and have not returned or been brought back to their owners, maſters or miſtreſſes, before the paſſing of this act, may within five years be registered as effectually

Slaves carried
away, &c.
from this ſtate,
may be
brought back
and registered.

tually as is ordered by this act concerning those who are now within the state, on producing such slave before any two justices of the peace, and satisfying the said justices by due proof of the former residence, absconding, taking away, or absence of such slaves as aforesaid; who thereupon shall direct and order the said slave to be entered on the record as aforesaid.

SECT. XII. AND WHEREAS attempts may be Preamble. made to evade this act, by introducing into this state Negroes and Mulattoes bound by covenant, to serve for long and unreasonable terms of years, if the same be not prevented:

SECT. XIII. Be it therefore enacted by the authority aforesaid, That no covenant of personal servitude or apprenticeship whatsoever, shall be valid or binding on a No Negroes or Mulattoes, other than infants, to be bound for longer than seven years. Negro or Mulatto, for a longer time than seven years, unless such servant or apprentice were, at the commencement of such servitude or apprenticeship, under the age of twenty-one years; in which case such Negro or Mulatto may be holden as a servant or apprentice respectively, according to the covenant, as the case shall be, until he or she shall attain the age of twenty-eight years, but no longer.

SECT. XIV. And be it further enacted by the authority aforesaid, That an act of Assembly of the province of Pennsylvania, passed in the year one thousand seven hundred and five, entitled, "An act for the trial of Negroes;" and another act of Assembly of the said province, passed in the year one thousand seven hundred and Repeal of former acts. twenty-five,

twenty-five, entitled, "An act for the better regulating of Negroes in this province;" and another act of Assembly of the said province, passed in the year one thousand seven hundred and sixty-one, entitled, "An act for laying a duty on Negro and Mulatto slaves imported into this province;" and also another act of Assembly of the said province, passed in the year one thousand seven hundred and seventy-three, entitled, "An act for making perpetual an act for laying a duty on Negro and Mulatto slaves imported into this province, and for laying an additional duty on said slaves," shall be, and are hereby repealed, annulled and made void.

JOHN BAYARD, *Speaker.*

Enacted into a Law at Philadelphia, on
Wednesday, the first day of March,
Anno Domini, 1780.

THOMAS PAINE, *Clerk of the General Assembly.*



An ACT to give Relief to certain Persons taking Refuge in this State, with respect to their Slaves.

Preamble.

SECTION I. **W**HEREAS many virtuous citizens of America, and inhabitants of states that have been invaded, are obliged, by the power of the enemy

enemy, to take refuge in this state. AND WHERE-
AS it is just and necessary that the property of such
persons should be protected.

SECT. II. Be it therefore enacted, and it is hereby
enacted, by the Representatives of the Freemen of the
commonwealth of Pennsylvania, in General Assembly
met, and by the authority of the same, That all and
every person and persons, under the above description,
now residing in this state, or who hereafter may be in
like circumstances, shall retain, possess and hold their
slaves; any thing in the "Act for the gradual abolition
of slavery," passed the first day of March, one thousand
seven hundred and eighty, to the contrary notwith-
standing.

Persons taking
refuge, may
retain their
slaves, &c.

SECT. III. Provided always, That the owner or
owners of such slaves, his or their lawful attorney, shall,
in six months from the passing of this act, or in six
months after their arrival in this state, as the case may
be, register said slaves, in manner and form directed
in the fifth section of the act above mentioned, for the
gradual abolition of slavery. And be it further provid-
ed, That such slaves shall not be aliened or sold to any
inhabitant, nor retained in this state as slaves, longer than
six months after the conclusion of the present war with
Great Britain.

Provided they
are registered
within six
months.

And not sold
or retained in
the state longer
than 6 months
after the war.

SECT. IV. And be it also provided and declared,
That nothing herein contained, shall be deemed, con-
C strued

Provided:

strued or taken to enslave any person or persons, who have been emancipated or freed, under, or by virtue of the act aforesaid.

Signed by order of the House,

FREDERICK A. MUHLENBERG, *Speaker.*

Enacted into a Law at Philadelphia,
on Monday, the first day of October,
Anno Domini, 1781. }

SAMUEL STERRETT, *Clerk of the General Assembly.*

An

*An ACT to explain and amend an Act,
entitled, "an Act for the gradual Abolition of Slavery."*

TO WHICH IS PREFIXED,

The Report of the Committee of the General Assembly of Pennsylvania, on the Petitions of a considerable number of the Inhabitants of the city and county of Philadelphia, the counties of Chester and Bucks, and other parts of the State, of all religious denominations, in favor of the oppressed Africans and their descendants.



"WE hold these Truths to be *self-evident*; that all men are created *equal*, that they are endowed by their Creator with certain *unalienable rights*, that among these are *Life, Liberty, and the pursuit of Happiness*."

Declaration of Independence.

"WE esteem it a peculiar blessing granted to us, that we are enabled this day to add one more step to *universal civilization* by removing, as much as possible, the sorrows of those who have lived in *undeserved bondage*."

*Preamble to the first act of the General Assembly of Pennsylvania,
for the gradual Abolition of Slavery.*



I N

ASSEMBLY of PENNSYLVANIA,

MARCH 8th, 1788.

THE Committee, to whom was referred the petition of the people called Quakers, in favor of the distressed Africans and their descendants, and also that from divers inhabitants of the city and county of Philadelphia on the same subject—

REPORT;

THAT having paid all the attention to the subject-matter of said Petitions, which it's importance seemed to require, it
appears

appears to your Committee, that although the *Act* entitled, "*An Act for the gradual Abolition of Slavery,*" has been attended with very salutary effects, it is not sufficiently calculated to answer all the benevolent purposes which the Legislature had in view, and which justice and humanity call for.

The subject, important as it is, was in the science of legislation in some degree new and unexplored, and experience evinces that in such cases the utmost stretch of human wisdom is inadequate to the arduous task of guarding against all the mischiefs and subtle evasions, which artful and unprincipled men are too apt to embrace: Hence it is, that persons of this description, unmindful of that rule which commands, that "*Whatsoever we would that men should do to us, we should do even so to them,*" have, as your Committee are credibly informed, in a variety of instances, and in contravention of the Resolution of Congress of the 20th October, 1774, by which that august body did, for themselves and their constituents, firmly agree and associate, under the sacred ties of virtue, honor, and love of their country, that they should neither import, nor purchase any slave imported, after the first day of December then next; but would wholly discontinue the Slave Trade, and would neither be concerned in it themselves, or hire their vessels or sell their commodities or manufactures to those who should be concerned in it—equipped and fitted out from the port of Philadelphia, vessels provided with handcuffs and military implements, in order to stir up the princes of Africa to wage war against each other, for the encouragement and support of an unrighteous traffic in human flesh; a traffic, by which, husbands torn from their wives and wives from their husbands, parents from their children and children from their parents, are sold as captive slaves into a long and cruel bondage.

That

That if the declaration contained in our Bill of Rights, that "All men are born equally free and independent," or that in the Act of Independence, that "All men are created equal—that they are endowed by their Creator with certain unalienable rights, among which are, life, liberty, and the pursuit of happiness," is founded in truth; and, more especially, if the whole race of men are created by one God for the same noble purposes, and if he will, as we are taught to believe, avenge the injuries of his people, it appears to your Committee that the Petitioners speak but the divine Will in requesting that this evil be done away from the land.

That to your Committee it also appears that the said Act is defective, and requires amendments in the following particulars:

1st. It does not prohibit the owners of slaves from selling them from their wives or their husbands, their parents or their children into distant parts, and even into foreign countries.

2d. It ordains no punishment for those men-stealers who by fraud or violence seize and hurry into distant countries, and perpetual bondage, free Negroes and Mulattoes.

3d. It provides that Negroes or Mulattoes who should be born of slaves after the passing of the said act should be free on their attaining to the age of 28 years, but does not provide against their being sent into neighbouring states or foreign countries, in order to deprive them of that liberty to which they would be entitled here, nor does it guard against slaves who are pregnant, being sent out of the State till after their delivery, so that their issue may be held in slavery during life.

4th. *It provides that all Negro and Mulatto slaves who should be brought into this State, should be free, with an exception, among others, of such as should attend their owner when travelling through, or sojourning in it, without being detained here for six months, but does not sufficiently guard against the citizens of this State or others, sending their slaves out of the State shortly before the end of six months, and then bringing them back, whereby the said Act is in a great measure evaded.—To your Committee therefore it appears, that the frequency of these and other mischiefs, contrary to the spirit of the said Act and the principles on which it is founded, require some further aid of the law to check what humanity is inadequate to perform—They therefore beg leave to offer the following resolution, viz.*

Resolved, That a Committee be appointed to bring in a bill to explain and amend the Act, entitled, “ An Act for the gradual abolition of slavery.”

Ordered, That Messrs. Lewis, Wynkoop, Kennedy, Piper and Lollar, be a Committee to bring in a bill conformably to the foregoing resolution.

An

*An ACT to explain and amend an Act,
entitled, “ an Act for the gradual Aboli-
tion of Slavery.”*

FOR preventing many evils and abuses arising from Preamble.
ill disposed persons availing themselves of certain
defects in the act for the gradual abolition of slavery,
passed on the first day of March in the year of our Lord
one thousand seven hundred and eighty.

SECTION I. Be it enacted, and it is hereby enacted, by Explanation of
the 10th section
of the abo-
lition act.
the Representatives of the Freemen of the Commonwealth
of Pennsylvania, in General Assembly met, and by the
authority of the same, That the exception contained in
the tenth section of the aforesaid act, relative to domes-
tic slaves, attending upon persons passing through or so-
journing in this State, and not becoming resident there-
in, shall not be deemed or taken to extend to the slaves
of such persons as are inhabitants of, or resident in this
State, or who shall come here with an intention to settle
and reside, but that all and every slave and slaves, who
shall be brought into this State, by persons inhabiting or
residing therein, or intending to inhabit or reside there-
in, shall be immediately considered, deemed and taken to
be free to all intents and purposes.

SECT. II. And be it further enacted by the authority No slave or ser-
vant to be re-
moved out of
this state with-
out their con-
sent on a private
examination,
aforesaid, That no Negro or Mulatto slave or servant
for term of years, (except as in the last exception of the
tenth section of the said act is excepted), shall be remov-
ed out of this State, with the design and intention that
the

the place of abode or residence of such slave or servant shall be thereby altered or changed, or with the design and intention that such slave or servant, if a female and pregnant, shall be detained and kept out of this State till her delivery of the child of which she is or shall be pregnant, or with the design and intention that such slave or servant shall be brought again into this State after the expiration of six months from the time of such slave or servant having been first brought into this State, without his or her consent, if of full age, testified upon a private examination before two Justices of the Peace of the city or county, in which he or she shall reside; or being under the age of twenty-one years, without his or her consent testified in manner aforesaid, and also without the consent of his or her parents, if any such there be, to be testified in like manner aforesaid, whereof the said Justices or one of them shall make a record, and deliver to the said slave or servant a copy thereof, containing the name, age, condition, and then place of abode of such slave or servant, the reason of such removal, and the place to which he or she is about to go. And if any person or persons whatever shall sell or dispose of any such slave or servant, to any person out of this State, or shall send or carry, or cause to be sent or carried any such slave or servant out of this State for any of the purposes aforesaid, whereby such slave or servant would lose those benefits and privileges, which by the laws of this State are secured to him or her, and shall not have obtained all such consent as by this act is required, testified in the manner before mentioned, every such person and persons, his and their

and if a minor
not without
the consent of
their parents.

Magistrates
duty.

Penalty on of-
fenders and
how to be re-
covered.

their aiders and abettors, shall severally forfeit and pay for every such offence, the sum of seventy-five pounds, to be recovered in any Court of Record by action of debt, bill, plaint or information, at the suit of any person who will sue for the same, one moiety thereof when recovered, for the use of the plaintiff, the other moiety for the use of the poor of the city, township or place from which such slave or servant shall be taken and removed.

SECT. III. And be it further enacted by the authority aforesaid, That all persons who now are, or hereafter shall be possessed of any child or children, born after the first day of March one thousand seven hundred and eighty, who would by the said act be liable to serve 'till the age of twenty-eight years, shall, on or before the first day of April one thousand seven hundred and eighty-nine, or within six months next after the birth of any such child, deliver, or cause to be delivered in writing, to the Clerk of the Peace of the county, or the Clerk of the Court of Record of the city of Philadelphia, in which they shall respectively inhabit, the name, surname and occupation or profession of such possessor, and of the county, township, district or ward in which they reside, and also the age, (to the best of his or her knowledge) name and sex of every such child or children, under the pain and penalty of forfeiting and losing all right and title to every such child and children, and of him, her or them immediately becoming free, which said return or account in writing, shall be verified by the oath or affirmation of the party, which the said Clerks are hereby respectively authorized and required to administer, and the said Clerks

Children born of slaves since the 1st day of March, 1780, to be registered, and how,

Copies and extracts of which to be evidence in any court.

shall make and preserve Records thereof, copies and extracts of which shall be good evidence in all courts of justice, when certified under their hands and seals of office. For which oath or affirmation and entry or extract, the said Clerks shall be respectively entitled to one shilling and six-pence, and no more, to be paid by him or her, who shall so as aforesaid make such entry or demand the extract aforesaid.

Preamble.

SECT. IV. And whereas, it has been represented to this house, that vessels have been fitted out and equipped in this port, for the iniquitous purpose of receiving and transporting the natives of Africa to places where they are held in bondage, and it is just and proper to discourage, as far as is practicable, such proceedings in future.

Forfeiture of ships employed in the slave trade.

SECT. V. Be it therefore enacted, and it is hereby enacted, by the authority aforesaid, That if any person or persons shall build, fit, equip, man or otherwise prepare any ship or vessel, within any port of this state, or shall cause any ship or other vessel to sail from any port of this state, for the purpose of carrying on a trade or traffic in slaves, to, from or between Europe, Asia, Africa or America, or any places or countries whatever, or of transporting slaves to or from one port or place to another, in any part or parts of the world; such ship or vessel, her tackle, furniture, apparel and other appurtenances, shall be forfeited to the Commonwealth, and shall be liable to be seized and prosecuted by any officer of the customs, or other person, by information *in rem* in the Supreme Court, or the County Court of Common Pleas, for the county wherein

wherein such seizure shall be made, whereupon such proceedings shall be had, both unto and after judgment, as in and by the impost laws of this Commonwealth in cases of seizures is directed. And moreover, all and every person and persons so building, fitting out, manning, equipping, or otherwise preparing or sending away, any ship or vessel, knowing or intending that the same shall be employed in such trade or business, contrary to the true intent and meaning of this act, or anywise aiding or abetting therein, shall severally forfeit and pay the sum of one thousand pounds, one moiety thereof to the use of the Commonwealth, and the other moiety thereof to the use of him or her who will sue for the same, by action of debt, bill, plaint or information. Penalty on offenders.

SECT. VI. And whereas, The practice of separating, Preamble:
which is too often exercised by the masters and mistresses of Negro and Mulatto slaves or servants, for term of years, in separating husbands and wives, and parents and children, requires to be checked, so far as the same may be done without prejudice to such masters or mistresses.

SECT. VII. Be it enacted by the authority aforesaid, Separating husbands and wives and their children.
That if any owner or possessor of any Negro or Mulatto slave or slaves, or servant or servants, for term of years, shall from and after the first day of June next, separate or remove, or cause to be separated or removed, a husband from his wife, a wife from her husband, a child from his or her parent, or a parent from a child, of any or either of the descriptions aforesaid, to a greater distance than ten miles, with the design and intention of changing the habitation

or place of abode of such husband or wife, parent or child, unless such child shall be above the age of four years, or unless the consent of such slave or servant for life or years, shall have been obtained, and testified in the manner herein before described, such person or persons shall severally, forfeit and pay the sum of fifty pounds, with costs of suit, for every such offence, to be recovered by action of debt, bill, plaint or information, in the Supreme Court, or in any Court of Common Pleas, at the suit of any person who will sue for the same, one moiety thereof when recovered, for the use of the plaintiff, the other moiety for the use of the Poor of the city, township or place, from which such husband or wife, parent or child shall have been taken and removed.

Penalty there-
on.

Penalty on car-
rying Negroes
or Mulattoes
out of this
state.

SECT. VIII. And be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the passing of this act, by force or violence, take and carry, or cause to be taken and carried, or shall, by fraud, seduce or cause to be seduced, any Negro or Mulatto, from any part or parts of this state, to any other place or places whatsoever, with a design and intention of selling and disposing, or of causing to be sold, or of keeping and detaining, or of causing so to be, as a slave or servant for a term of years, every such person and persons, their aiders and abettors, shall, on conviction thereof, in any Court of Quarter Sessions, for any city or county within this Commonwealth, forfeit and pay the sum of one hundred pounds to the overseers of the poor of the city or township, from which such Negro or Mulatto shall have been taken or seduced as aforesaid, and shall also be confined at

hard

hard labour for any time not less than six months, nor more than twelve months, and until the costs of prosecution shall be paid.

SECT. IX. And be it further enacted by the authority aforesaid, That the Justices of the Courts of Common Pleas for the counties of this State, respectively be and they are hereby required and enjoined to cause this act to be publickly read, at least twice in each term, for the two terms next following the passing of this act.

Signed by order of the House,

THOMAS MIFFLIN, *Speaker.*

Enacted into a Law at Philadelphia,
on Saturday, the twenty-ninth day of
March, in the year of our Lord, 1788. }

PETER Z. LLOYD, *Clerk of the General Assembly.*



